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Rapporteurs/Editors: Manuela Hager, Lukas Hofmann

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In cooperation with:

Robert Bosch **Stiftung**



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# 1. Introduction

Women in Egypt and Tunisia were at the forefront of their countries' revolutions condemning the corruption of their regimes and demanding freedom, justice, and democracy. As citizens they were fighting side by side with men encouraging others through their presence to join the protests. However, one year after the fall of the countries' presidents, expectations concerning the improvement of gender equality in both states have been disappointed. The issue of women's empowerment was/is sidelined in the political debate, and women's political representation in the newly elected parliaments and constitutional assemblies/committees respectively is very insignificant.

The 15th New Faces Conference conceptualized and organized by the EU—Middle East Forum at the German Council on Foreign Relations brought together 17 young professionals from academia and civil society in order to discuss the transitions in Egypt and Tunisia with regard to gender equality and women's empowerment. The conference did not aim to offer a *tour d'horizon* of deficits in gender equality in Egypt and Tunisia in all facets of society and how to address these. It rather sought to pinpoint challenges and necessary action particularly during the current political transition, hence the focus on the political realm and related social factors such as tradition and culture. Together with senior experts participants analyzed the current political and social situation of women in both countries and, taking into account experiences and challenges in Morocco and Turkey, discussed lessons learned and future strategies to enhance gender equality and political participation of women in both post-revolutionary countries.

This report outlines a considerable part of the participants' contributions and discussions during the plenary sessions and working groups. The main points raised are clustered around three actors, namely the state, civil society, and the international community. The following section 2. contains the major findings of the conference.

## 2. Major Findings of the Conference

### I. Politics and the State

- Women's political representation in parliament guaranteed by a quota does not necessarily mean pushing forward gender equality, as women are chosen as numbers rather than according to their abilities or political positions. Nevertheless, a parliamentary female quota and detailed internal women quotas for parties and all other political institutions like constitutional assemblies or committees are necessary, and incentives should be offered to realize this representation and presence.
- Incentives should be given to political parties promoting their female members and offering capacity building and skills enhancement trainings.
- Young women face many challenges inside political parties as their voices are often not given the same legitimacy among male colleagues. More senior women and supportive male colleagues should endorse younger females and work on their visibility and acceptance.
- The political rise of Islamist forces and the hegemony of Islamic language in politics and society are threatening the emancipation process. Secularists' circles should accept the new political reality and start engaging in a constructive dialogue with Islamists, objectively challenging their positions and policies.
- Newly established political parties can learn much from civil society in terms of reaching out to the grass-root level, gathering people around an idea, and organizing them.
- In terms of enhancing gender equality, law was identified as a decisive tool of the state in order to set a just legal framework recognizing women as equal citizens, granting them equal rights, and abolishing any legal discrimination against them. Hence, the state should play a stronger role by introducing legislation that secures gender equality.
- Attempts of reforming the family law in accordance with *Sharia*, i.e. the Islamic feminists' approach, cannot achieve the basic rights of women related to polygamy, inheritance, and other liberties. Hence reforms of the law within the *Sharia* boundaries can only be considered a short or midterm solution, the long term goal being laws in compliance with international human rights standards detached from *Sharia*. Still, agreement on international human rights standards in conservative societies is difficult to realize if polygamy for example is considered by some as a right while others consider this practice a crime.



- Muslims and Christians should work together to reform the family law as both groups suffer from discrimination. This could further decrease sectarian tension.
- A reform of state institutions and an increase in the number of “femocrats” (feminist bureaucrats) are necessary in order to overcome gender stereotypes and patriarchal hegemony within these institutions, and ensure the implementation of laws and regulations that lead to women’s empowerment.
- Women working inside security institutions could contribute to the re-establishment of a bond between these institutions and civil society by introducing new means and strategies to solve or avoid conflicts. They could contribute to identifying women’s special security concerns and help to change the military approach into a more civil one. Women in the army are a very significant symbol regarding women’s empowerment and gender equality as they are taking most masculine positions and challenging traditional gender roles. Increasing their numbers can positively affect perceptions of women in society.

## II. Civil Society

- Women’s empowerment in the legal and public sphere is not necessarily followed by their empowerment in the social and private sphere. Traditional cultural rule models for men and women do not change as quickly as law can be changed.
- Focusing on the role of civil society is more important than relying on the state when it comes to the enhancement of gender equality. Changing the perception of women’s role in society is a culturally sensitive and long term process, which needs to be locally driven, and civil society is an arena where every citizen can participate freely. Its activities to realize gender equality are indispensable and powerful.
- Nevertheless, civil society and political parties complement each other, as the latter are necessary to consolidate and translate societal demands.
- Education was identified as a decisive tool of the state and civil society to bring about a cultural revolution, which ensures gender equality in the private sphere.
- Civil society organizations would benefit from further capacity building in order to ensure their voices are consistently heard. Capacity building should aim to empower organizations to develop their own agenda and to train local gender experts to ensure local ownership.
- Rural areas tend to be neglected and are not within the scope of political awareness campaigns of NGOs and international organizations. The most

important needs of women in rural areas must be identified before implementing a program regarding their empowerment.

- Programs of civil society organizations should adopt a more integrated approach and combine gender equality issues, political awareness, and development programs, since identifying women's rights as a special case may further marginalize the cause.
- Men must be sensitized to the advantages and profits they will gain through the empowerment of their women, and programs should address men and women equally.
- Networks encompassing all different non-state agents should be developed in order to avoid the fragmentation of civil society.
- Strategies used by the Muslim Brotherhood or the Sisters of the Brotherhood could be adopted, since these movements have worked successfully with the people on the ground without relying on any help from the state.
- Communication channels between rural NGOs and national politicians must be created in order to translate successful ground work into national policies.
- Media fail to adapt to the changing role of women, creating images which do not reflect the reality of society. This results in gender inequality and draws a false system of knowledge that goes against feminist movements' efforts.
- Young female role models in the political as well as the private sphere that come from different strata of society should be portrayed. Well-educated and intellectual gender advocates composed of middle and upper class women were active in the past, but unable to reach grass-root women and girls due to cultural, social, and generational gaps. Hence the media should make use of modern role models in the streets and portray women's political actions, engagement, and contributions to society.
- Media should start gender sensitive trainings for its employees.

### III. The International Community

- In addition to NGOs, there are many important active non-state actors available, which are not yet recognized by the international community. A more anthropological definition of civil society including tribes for example as indigenous civil society is necessary. The definition should be pushed according to function rather than the structure of an actor.
- Slowing down the process of funding could allow donors a wider time frame to evaluate the non-state actor landscape, which will enable them to provide reasonable and sustainable funding.

- In some cases, program agendas of donors are rigid and not flexible enough to allow for demand driven projects by local organizations. This needs to be altered.
- In addition to funding projects, international organizations should support forums for knowledge and experience sharing in the field of gender equality.
- International relations and resolutions constitute an additional pressure tool on states. For example, the United Nation resolution UNSCR 1325 on women, peace, and security can serve as a frame of reference for civil society to push forward the development of a National Action Plan for its implementation.

## 3. Enhancing Gender Equality through the State

### 3.1 The Case of the Family Law

#### Tunisia

Although girls and boys might experience equal treatment and chances in their families, institutions and society tell them differently. Therefore, law was identified as a decisive tool of the state in order to set a just legal framework recognizing women as equal citizens, granting them equal rights, and abolishing any legal discrimination against them. Regarding women's rights, participants explained that Tunisia has already achieved remarkable progress. Its personal status code adopted in 1956 was part of a modernization movement of former president Habib Bourghiba and is considered as the most progressive family law in terms of gender equality in the Arab world granting, for example, the right to abortion and introducing an anti-polygamy law. Tunisia was also the first country in the region to withdraw all its reservations concerning the international convention on the elimination of all forms of discrimination against women, CEDAW. A number of these reservations used to limit the equality of women in their families, and their removal has finally recognized women as equal partners in mar-



Participants during the working group session

riage granting them, for example, equal rights in divorce as well as in the case of guardianship, adoption of children, or in passing on their nationality to them. Furthermore, Tunisia also adopted the Optional Protocol to CEDAW, which allows individuals or groups of individuals to file complaints with the CEDAW Committee in case of abuse of women. Therefore, the main challenge identified in Tunisia after the revolution and in light of the dominance of Islamists in government was to preserve the already gained rights and to push them even further.

### Morocco

Other countries in the Arab region have also undergone legal reformation and modernization in order to adjust several parts of their laws to international standards. Due to the European influence, international standards have been applied, especially in the spheres of commercial and business law. However, family law remained within the domain of *Sharia* legislation and therefore, continued to curtail women's rights. In the case of Morocco, the family code, *Mudawana*, which is based on the *Sharia*, was reformed in 2004. The legal committee worked on Islamic texts to be suitable for the current needs of modern societies and introduced provisions regarding the age of marriage (it changed from 15 years for women to 18), equal parental authority, and equal rights to divorce. Being a step towards achieving international standards of human and women's rights, the attempt of reforming the family law in accordance with *Sharia* could not empower the basic rights of women related to polygamy and inheritance. Even though Morocco worked very hard on limiting polygamy, participants stressed that the law still allows men to marry more than one woman. Restrictions were imposed on the permission to marry another wife, but judges often find excuses to legalize polygamy. Another obstacle to gender equality highlighted was the fact that men still inherit double of what women do, because *Sharia* law considers men to be the financial supporters of their families. Reality, however, has changed drastically as women obtain high education degrees and have well positioned jobs enabling them to financially support their families as well. A participant explained that after the Islamist Party of Justice and Development won the elections in November 2011 women activists are concerned about the future development of women's rights in Morocco. The fact that the party had criticized women's rights before the legal amendments in 2004 makes feminist activists wonder how it will apply the new family code in the future, especially because the party's standpoint on which rights women should enjoy differs from the perspective of women activists. Taking into account the conservativeness of Moroccan society, the reform of the family law in accordance with the *Sharia* was considered by many participants only as a short or midterm solution. The long term goal, however, was to achieve international human rights standards outside *Sharia*.

## Egypt

Egypt experienced under the reign of former president Hosni Mubarak secular legislation except in the domain of family law, which like in the case of Morocco is based on the *Sharia*. Marriage, for example, is therefore considered a religious matter regulated either by Islamic law or as in the case of the Coptic community in Egypt by Coptic law. The latter's situation was thoroughly analyzed by one participant during the conference with the following findings: in terms of divorce regulations, the Coptic community faces severe challenges, which led to a struggle for legal reform during and after the uprising. Since 2008, when Pope Shenouda III amended the 1938 Coptic family law, the Coptic Church grants divorce only in the case of adultery or change of religion. In the past, Copts had been able to file for divorce for nine reasons instead, but given the threat of community erosion the Church desired to strengthen communal identity and cohesion of the Coptic community, led by the conviction that protecting the family—and limiting the reasons for divorce—meant protecting the community. Conversion to Islam in order to obtain a divorce through Islamic law, and the fact that it is legally forbidden to convert back to Christianity has often led to tensions between the Christian and Muslim communities. In May 2011, for example, a Coptic woman who had converted to Islam claimed that she was abducted by the Church and hidden at a Church as a punishment for converting. The participant stressed that this event, which was followed by severe sectarian clashes, also showed how women after the revolution functioned as identity markers of the nation or in this case of the community. Since the 1970s when Sadat's Islamist-friendly policies increased the level of perceived threat of community erosion within the Christian community, religious identity has become more important than national identity. This identity is usually negotiated through violence over women's bodies, as similar stories about male Christian converts are uncommon. The other option, fabricating an adultery claim, is particularly harmful to women if they are the accused, because in consequence of the claim they and their children suffer from social stigmatization and discrimination. The argument went that it is therefore much more likely for women to stay in an unhappy marriage instead of getting divorced. During the Arab Spring, Copts launched protests for legal reform but were not heard by the Church, as it considered them to be negative side effects of the revolution in Egypt, and the Egyptian state did not offer any support because it is reluctant to interfere with the affairs of religious minorities. Using this excuse, the police refused to protect Christian protesters who were harassed by thugs during demonstrations in front of a Cathedral.

It was argued that a reform of Coptic personal status law could help decrease sectarian and inter-community tensions. As an example for a similar response



to the threat of community erosion, the Syrian case was cited where the Catholic Church had widened the reasons for divorce in 2007. Furthermore, it was suggested that Muslims and Christians could work together in order to reform their family laws, even if it may be difficult for Muslims in Egypt to speak about Christian rights because it is considered to be destructive for national unity. In 2010, for example, Jordan drafted a new family law inspiring Christians to realize a similar reform in their law system. Another solution was found in expanding the role of the state regarding the family law. It should play a stronger and more active role by introducing a unified secular family law regardless of religious affiliation or gender so that citizens enjoy the option of concluding a civil marriage. The statement went that the adoption of a civil marriage implies though on the one hand that the state has to give up its comfortable position of ignoring the challenges faced by a minority, and on the other hand that the Church will lose influence and power, i. e. two gross challenges. Another identified challenge in Egypt regarding reform of the family law was the fact that previous related endeavors are connected to Susan Mubarak, the former president's wife. As a result of lobbying and legal activism of women's movements, she encouraged in 2000, for example, the adoption of a law enabling women to set conditions on their marriage contracts. Despite the fact that this and similar laws boost the status of women, it was explained they are labeled "Susan laws" and carry a negative connotation in Egyptian society after the uprising.

### Limits of Legal Reform

The example of the marriage contract equally demonstrated the limits of legal reform concerning the actual empowerment of women. Firstly, it was pointed out that only few women in Egypt know about their right to set conditions on their marriage contract. This means laws can only pave the way for gender equality but prove ineffective if they are not practiced. Secondly, women's empowerment in the legal and public sphere is not necessarily followed by their empowerment in the social and private sphere. Even though women enjoy the right to put conditions on their marriage contract, they are often confronted with hostility in society if they decide to actually make use of it. The Moroccan author Fatima Mernissi was quoted describing this conflict between public and private sphere as schizophrenia women suffer from, i. e. before the law women enjoy equal rights and in terms of statistics can be proud of their achievements. The quota of female professors in Egyptian universities being 30 percent, for example, is considerably high compared to Germany (10 percent). In Tunisia women make up to 59% of university graduates and 40% of judges. But in the private sphere, the consensus was that women are still confronted with traditional cultural role models for men and women, which do not change as quickly as laws can, and

that while it is relatively easy to promote women in the public sphere, strategies are needed to empower them in the private sphere.

In this context, the question arose whether it is useful to impose laws supporting certain values on a society, which itself does not share those values. Who is supposed to direct the other, law society or society law? While one current of participants supported the idea that discussions are necessary in order to determine which values a community wants to be reflected in its laws, the other current argued that in order to achieve real change regarding gender equality a progressive state is necessary to introduce new ideas by means of law.

Turkey was taken as an example for a top-down modernization of the law through its founder Kemal Atatürk. In 1926 Turkey adopted the Swiss Civil Law, which led to the banning of polygamy, the introduction of civil marriage, and equal rights for women regarding inheritance. Since the 1930s laws were progressively amended in favor of women's rights resulting in the consolidation of gender equality in the public, private, and economic sphere. However, upon assessing gender equality in Turkey in reality, a distinction between urban and rural areas as well as social classes was seen as paramount. Women in urban areas tend to be independent and well educated, whereas traditional ideas of gender roles continue to prevail in rural areas, exemplifying that a top-down modernization is not sufficient.



Hania Sholkami during her talk



### 3.2 Laws regarding Political Representation of Women

#### Benefits and Limits of Women's Quotas

Besides the legal promotion of gender equality regarding the family law, the discussion also revolved around enhancing women's representation in the political sphere and improving their access to decision-making positions. Despite women's active role during the revolutions and them enjoying the same political rights as men do, they are not present in the political sphere, and election results in Tunisia and Egypt have been very disappointing in terms of women candidates being elected to parliament and the constitutional assembly/committee respectively. While Tunisia's strategy of introducing a provision for parity between men and women on electoral lists turned out to be not effective and sufficient, Egypt's approach of declaring only one woman on every electoral list to be compulsory proved that women's political empowerment was not on the country's political agenda in the first place. In Tunisia controversy arose over the introduction of the parity law, raising criticism as to the absence of horizontal parity, i. e. alternating between men and women as heads of lists, and concerns were voiced about whether it is wise to help politically inexperienced women entering parliament. A women's quota for parliament had existed in Egypt before the uprising but was abolished due to its negative connotation, since it was mainly used by the former ruling National Democratic Party to increase its power in parliament by appointing its female party members to the specified seats. Today women activists in Egypt do not see their progressive vision of women's rights shared or represented by female members of the conservative Islamist Freedom and Justice Party, who form the majority of women in parliament.

The example of Morocco showed that women's political representation in parliament does not necessarily mean pushing forward gender equality, as often parties abide by the quota regulations but place incompetent and weak women that do not serve the cause or chose only those women affiliated with male politicians and other powerful figures in society. The newly elected cabinet contains also only one female member who was appointed as Minister of Solidarity, Women, Family, and Social Development, the classical post often given to female politicians, and a participant explained that up until the conference, she had not brought up the issue of gender equality as her priority in the cabinet.

The three country examples highlighted that a comprehensive approach specifying single details is necessary, for example establishing quotas not only in parliament but also in parties and political institutions (like the constitutional commit-

tee in Egypt) in general, and that a system of incentives for introducing quotas on these various political levels need to be created. During the discussion, two concepts of women's political involvement were evaluated, "politics of representation" versus "politics of presence," i.e. is the political representation of women necessary to achieve gender equality and enhance women's rights or is their presence and political activism fighting for their rights and pushing forward their demands outside of parliament even more important? An example of the latter mentioned was the million women march in Cairo in December 2011, demonstrating in Tahrir Square to condemn the military's brutality against women. There was agreement that both are necessary and complementary, but that in the current situation in Egypt and Tunisia, energies and resources need to be allocated in civil society activism to counterbalance the absence of agenda defenders in parliament. And as women in Egypt for example proved a genuine interest in politics with a female voter turnout of 60 percent in the country's first relatively free and fair parliamentary election, the belief was that as women are politically active, they will eventually, in the middle- and long-term, push themselves into the political sphere. Another group argued that civil society nevertheless needs political parties, and that experiences from other countries around the world have shown "the return of the age of the dinosaurs," i.e. the need for powerful political parties to consolidate and translate societal demands. This was still counter argued by those participants saying that links between political parties are driven often by mere power interests, NGOs could create mistrust in the population, and NGOs might be discredited. This group thought that in general, feminist organizations should study the political and marketing tools of successful parties and organizations and make use of the same strategies and not necessarily ally themselves with them.

### Challenges experienced by a Female Candidate in Egypt's Parliamentary Elections

Magy Mahrous, who ran as an independent candidate for the Egyptian Social Democratic Party in the constituency of El-Maadi in Cairo, is one of the few young politically active women who competed as individual candidates in the parliamentary elections. She has a lengthy work record in civil society in Egypt and the Arab region, and the main reason for her to run for elections was her conviction that Egypt needs a holistic development program since the country has been economically, politically, and socially neglected. Her aim was to introduce her experience gained in the field of civil society into parliament and serve not only her constituency, but the country as a whole. In light of the new constitution, which still has to be drafted, she wanted to give people the option of supporting liberal

ideas. Being her first time—like it was for many others—to run for elections, she had no experience in campaigning and was confronted with various challenges.

During the relatively short campaigning period of six weeks, the law changed several times. The regulation, for example, saying that the mandatory female candidate had to be put on the upper half of the list was only valid for four days. The identification number she had received and which was printed on all her promotion material changed one week prior to the elections and turned out to have been changed again on the day of elections. She financed her campaign, which included banners and the distribution of T-shirts and stickers, by means of fundraising events in El-Maadi. Financially, she was not able to compete with religious parties, which had diverse funding sources. With regards to content, she found it even harder to compete with rivals who urged voters to vote for Islamic parties in order to go to heaven. Besides, explaining the liberal idea and the positions of her party without defining them as being non-religious was extremely challenging. In general, she emphasized that parties and political actors have to explain their self-descriptions to the public more effectively. For example, the public needs to understand that “liberal” and “secular” does not mean anti-religious, and that “civil rule” is not “liberal rule” but rather “non-military rule.” The greater public is confused by these largely unexplained concepts and the sheer overwhelming number of parties. Furthermore, Mahrous’ campaign team observed some irregularities during the campaigning period and the elections, for instance Islamic parties not abiding by the electoral silence before the election day or polling sheets being smuggled out of polling stations. To this day, she said, it was unclear whether those irregularities will be prosecuted.

In her campaign she did not emphasize gender equality and women’s rights in particular, but focused on human rights, education, and environmental issues. Acknowledging that the poorest and most marginalized in the Egyptian society are women, she supported the idea of enhancing equal rights, not only women’s rights. The fact that she was a female candidate was not a special matter for her, but campaigning in a local *Abwa* (cafe) for example surrounded only by men always contained a hidden or indirect message. The support of her party, though, was disappointing and the lack of competence frustrating. On the party’s website, for example, Mahrous’ name was listed under the wrong constituency. Her requests to have it changed were to no avail, and the mistake was even published in the newspapers. Still, she considered it to be a good decision to run for the Egyptian Social Democratic Party and the Egyptian Bloc, but according to her, self-criticism within the party and pushing for women’s rights and political presence are necessary in order to be more successful in the future. She finally stated

that political parties can learn a lot from civil society in terms of gathering people around an idea and organizing them, and that parties need to ground themselves and listen to their constituencies instead of blindly following an ideology.



Magy Mahrous sharing her experience of running for parliament

### 3.3 The Role of the Constitution and Controversy over its Frame of Reference

#### Secularism vs. Islamism

The next important step following the parliamentary elections in Tunisia and Egypt will be the drafting of a new constitution. This document will further determine the future of gender equality in both countries. So far, both constitutions have contained articles stating that Islam is the religion of the state. In the case of Tunisia, all reservations to CEDAW were withdrawn, except one stipulating that no legislative action will be taken which conflicts with this specific article. It was argued that if religion continues to be a frame of reference for the constitution, then progressive laws regarding gender equality could be in danger due to *Sharia* based arguments against them. The discussion about family law in accordance with *Sharia* has already demonstrated this dilemma. Resuming the Tunisian example, two trends in the Tunisian judicial system were named, the traditional trend that maintains discrimination against women on the basis of this article and

the more liberal trend, which believes that this article should be reconciled with international standards of human rights.

The fact that the newly elected governments are led by Islamist parties, which consolidates their influence on the constitution drafting process, worries women activists in both countries. In Tunisia, only about one fourth of the representatives that were voted into the constitutional assembly are women. It is noteworthy that 42 out of 89 An-Nahda representatives in the assembly are females. In the case of Egypt, women are completely absent from the constitutional committee, which additionally weakens their influence on the advancement of women's rights. One possible solution mentioned in order to avoid any negative impact on gender equality through religion was to draft a constitution stipulating a secular state, which is not hostile to religion, respects diversity and pluralism, and ensures freedom of religion and freedom of ideologies as long as the law is respected. But finding a basic or shared understanding of the phrasing or which values it should enhance was considered a very challenging undertaking in a conservative society, which is divided into secularists and Islamists (and others), i.e. how can one agree on international human rights standards if polygamy for some is considered a right but for others a crime?

A first step suggested was to stop talking about Islamists as “the other” and to accept the concept of democracy, acknowledging that people have voted for them. Instead of confronting them as enemies or staying inside secularists' circles, the latter should start engaging in discussions with Islamists in Egypt. Certain counterproductive trends within feminist circles used to ignore the needs of men, and it was stressed that the same mistake should not be repeated regarding Islamist forces, as a dialogue can have a fruitful impact on both sides. In the case of Tunisia, it was explicitly mentioned that communication channels do not only exist between secular / Islamist groups and the government, but also between secular forces and Islamists, and that these channels are used extensively despite all differences. But this dialogue is confined to moderate Islamists, as more radical or fundamentalist (former social, now) political movements like the Salafis are less cooperative and open-minded. Their increasing numbers within the Tunisian and Egyptian societies is perceived as a tremendous threat, especially as Salafis were frequently involved in violent incidences after the revolution attacking, for example, girls who were considered not to be dressed decently. Their presence in universities spreading fundamentalist ideas is a recent phenomenon equally mentioned and requiring serious attention.

### Islamism vs. Feminism—Islamic Feminism as a Solution?

Another question that came up in light of the rise of Islamist forces is how Islamism and feminism can coexist, and how the concept of secularism that has a very negative connotation in Egypt for example can be introduced into a society whose majority voted for a religious party. One of the strategies identified was to engage with the religious authorities and establishments in order to introduce new, progressive concepts into a conservative society. Islamic feminism was taken as an example that tries to break traditional hegemonic discourses by reinterpreting the Quran and empowering women within the religious community. It is adopted and practiced by Muslim women in societies where secular feminism itself is discredited as a Western concept. As a heterogeneous discourse taking place in Muslim majority countries as well as in countries where Muslims constitute a minority, Islamic feminism is divided into a spectrum of positions ranging from conservative to radically liberal. All of these positions have the common goal of enhancing gender equality and women's rights within an Islamic frame of reference. It was explained that for this purpose, Islamic feminists turn to the Quran and to some extent to traditions of the life of the Prophet Muhammad (*Hadith*) in order to prove that Islam as a religion of justice propagates gender equality (or gender justice in conservative readings). Claiming that not the Quran itself but rather traditional interpretations of it foster gender inequality, Islamic feminists tackle patriarchal readings of the Quran and influence the male dominated sphere of interpreting religious texts. An example was mentioned to explain the differences at either ends in the spectrum. While no liberal Islamic feminist would understand “beating” (*daraba*) in the Quran, Sura 4:34, as excessive beating, conservative Islamic feminists would understand it as “beating a little bit,” and more moderate positions would not interpret it as beating in a physical sense but re-interpret it as “showing the way” (showing that the same *daraba* is used in this very sense in other verses of the Quran). More liberal feminists would put the Quranic passage in the context of its revelation, namely in the 7th century, arguing that back then, the Quranic message embodied a radical improvement of women's conditions, and that this spirit—not the wording of the passage—is important and has to be developed further in accordance with today's modern world. More radically liberal positions would call for a complete rejection of the passage because no matter how it is interpreted, the text will stay patriarchal propagating a gender hierarchy that contradicts their understanding of God's justice who created men and women as equal.

The approach of Islamic feminists was met by many participants with harsh criticism who argued that putting feminism in a religious discourse automatically limits feminism's goals. Those participants of the secular-feminist current



rejected religion as a framework for feminism, regarding the two as incompatible. Feminism based on Islam—whatever the positioning in the spectrum might be—will always have its limitations and reach a ceiling, namely the boundaries of Islam (“*hudud*”). Hence Islamic gender justice but not gender equality is possible. Examples for such boundaries brought up in the discussion were homosexuality and the desperate situation of single mothers with children that were not conceived or born during a marriage. Both cases lie outside of these boundaries and can currently not be accepted within a theological framework. The participants also complained that Islamic feminism does not take into account the needs or lifestyles of progressive secular single women. Furthermore, Islamic feminism was criticized as a merely intellectual discourse that does not try to actively claim certain rights and that is exclusively led by English-speaking intellectuals, hence detached from the lives of the majority of women in Islamic countries.

An attempt to find a synthesis between the two previous positions was reflected by those participants who sought to achieve secularism, human rights, and gender equality by utilizing Islamic feminism/gender justice as a short- or medium-term strategy, especially as Islamic societies sympathize with this approach. In general, adopting an Islamist discourse as a strategy to attract listeners and win followers is found all over the Arab world since the 90s. Except in Tunisia and Algeria, this strategy has been a reaction to the increasing Islamization within Arab societies. The argument went that if a religious discourse is a more effective approach to reach society than a secular one, why not embrace it for the sake of the goal? They clarified that Islamic feminism can therefore only be considered as a tool in order to achieve secular (which was regarded as the ultimate) feminist goals, similar to law reforms inside *Sharia* that were also considered as a mid-term strategy leading to secular laws. The counterargument here was that this strategy has serious flaws, as it could lead to a consolidation of Islamic gender justice but could in consequence fail to achieve gender equality. In other words, it could lead to a stronger Islamization of society resulting in an even stronger rejection of Western human rights feminism and consequently the failure of the long-term strategy. While many participants rejected Islamic gender justice and defended gender equality, one participant from Egypt asked in this context whether the conference was “about what we think is right or how to find practical and promising strategies,” and added that given the Islamic character of Tunisian and Egyptian societies and representation, the solutions drawn would target a majority of women that might not aspire for more than Islamic gender justice. Challenging the claim that the ultimate goal of development or transition should be secularism, a Western participant stated that modernization has failed everyone, and that it cannot be taken for granted that modernized states automatically become secular, as the

example of the USA shows. The statement went that a Western-biased perspective is not necessarily helpful.

The example of Muslim women in Germany raised a different issue in this regard, namely how Muslim women, who find themselves already in a secular environment, take different approaches to emancipate themselves as women but also as parts of society. One group detaches itself from religion and takes the more mainstream path of working within the “universal” feminist framework, and the other regards gender justice as inherent in Islam (i.e. Islamic feminism) and interprets the Quran in a new hermeneutic framework. According to the contribution, this leads to a fruitful debate and a merger of a European as well as a Muslim identity whose joint empowering potential is underestimated by the majority of society, including secular feminists. The group learned that German Muslim women organize

in small independent organizations and umbrella organizations to claim and defend their interests in a secular state but also to defend interests of women in general. The channels deployed are within civil society because the defense of interests is only deficiently organized by the state through the Islam Conference, which is seldom supportive of Islamic feminists, and the funding of a National Action Alliance of Muslim Women by the German Ministry of Family Affairs. Inside the general organizational structures of Muslims (mosques, regional / state-level so-called *Shura* councils, national umbrella organizations) women



A working group session



also play an increasing role in pushing forward the gender agenda. The example of German Muslim women showed that religious identity can empower women to achieve greater equality in other different fields they would otherwise not have perpetrated and shows a way to claim equal rights as members of a religion and as a woman. During the discussion, the question was posed as to whether this approach could also be applied to young girls in Egypt for example who refuse the “village Islam” of their parents and try to be pious and modern and whether this approach could overcome the paradigm of the clash of civilizations.

### Turkey as a Role Model?

Turkey being a secular state with an Islamist government is undoubtedly an interesting case. The Turkish participant showcased that the Justice and Development Party (AKP) is a political party with an Islamic frame of reference, but the constitution ensures the secular nature of the state. As a country with a Muslim majority, Turkey set Islamic holidays as public holidays and subsidizes mosques. Islamic banking is available but not compulsory, and there is a healthy dialogue between religious and secular forces about the country’s future. However, the Turkish model of secularism confronts pious women with severe challenges, as state regulations interfere with their religious activities and narrow women’s personal freedoms. Women wearing the headscarf are not allowed to enter the political sphere. The law banning headscarves from universities was recently defused but is still in force in elementary and high schools. Similar discussions about religious symbols in public institutions—in most cases the headscarf—can be found in France and Germany. According to the participant, Turkey is working on these issues, and changing relevant parts of the constitution is taken into consideration in order to abolish discrimination against the headscarf and allow religious women more freedom. This again demonstrated the constant interaction between law and society and its mutual impact. The conclusion was that in terms of gender equality the Turkish constitution can be an inspiring example of a women friendly legal text (its application put aside). It ensures gender equality before the law, considers men and women as equal spouses in marriage, and stipulates positive discrimination for women regarding working conditions.

## 3.4 Fostering Gender Awareness by Means of Education

While the importance of a strong state in order to ensure gender equality was frequently emphasized, the need for a cultural revolution was equally often mentioned, which changes the perception of women and fosters the idea of gender equality within society. There was a consensus that stereotypes and the hegemony

of patriarchal language and gender insensitive social norms need to be overcome, as boys/men utilize them to discriminate against women/girls and women/girls easily accept them and are consequently weakened. In terms of change at the social level, education was seen as a vital tool of the state that seemed to some even more effective and powerful than law reforms. Resuming the Turkish example, the participant explained that the national education system had been a decisive factor concerning the consolidation of gender equality and women's empowerment. Starting from the age of six, girls and boys share the same education in the same classrooms. Special lessons are given in order to foster the mentality that men and women are equal citizens before the law. The education system, in which school is obligatory for eight years, provides the required self-building structure for women in order to have a say in the future of their individual as well as professional lives, and female illiteracy (although it continues to be a problem) has been constantly decreasing since 1935.

In terms of educated women, Tunisia is in a different situation than Egypt. It has huge female human resources to offer who can assist to establish a stable, advanced democracy that preserves and promotes their civil rights, and their knowledge and productive activities can significantly contribute to the economic development of the country.



Plenary session

## 4. Civil Society—Strategies for Women's Empowerment

### Assessing the Role of Civil Society Organizations

If there is one lesson learned from the uprisings in Tunisia and Egypt, it is not to underestimate the power of the people. Therefore, it was frequently pointed out that focusing on the role of civil society is more important than relying on the state when it comes to the enhancement of gender equality. Civil society remains the main forum for participation for social groups, who have been traditionally marginalized at leadership levels, and continues to be the main arena in which women can have their voices heard. After the disappointing election results in terms of female representation, civil society provides a platform for women's groups in Egypt and Tunisia to advocate the needs and interests of women outside the state apparatus. The argument went that since changing the perception of women's role in society and ensuring human rights for women and girls is a sensitive and long term process, which needs to be locally driven, the role of local civil society organizations cannot be understated. In the case of Egypt, a decrease in the number of NGOs working in the field of women rights and women empowerment with regards to political participation was observed. Many projects reemerged only after the uprisings, and some conducted by the National Council for Women associated with Susan Mubarak were even stopped. Especially rural areas were said to be neglected and not within the scope of political awareness campaigns of NGOs and international organizations. Besides, it was emphasized that the topic of women's empowerment is a very sensitive one that is difficult to approach in a conservative and religious society like in rural Egypt. Therefore, the programs implemented rather focus on health problems of women or circumcision. In the course of the conference, several strategies were developed to approach gender equality and women rights issues by means of programs and projects conducted by NGOs or other actors within civil society.

Firstly, programs should adopt a more integrated and holistic approach and combine gender equality issues, political awareness, and development programs, since identifying women's rights as a special case may further marginalize the integration of women. Instead of speaking about "women's rights" civil society activists should use the terms "human rights" or speak about the "right of education" for example. Additionally, participants in those programs should benefit economically from their enrollment. Furthermore, programs should address men and women equally, since the concept of gender equality needs to be understood and practiced by both sexes, and especially male perceptions of women's role in

society must be challenged. Moreover, men must be sensitized to the advantages and profits they will gain through the empowerment of their women. Both sexes should be trained together and not separated from each other, because in rural areas women hardly have the chance to deal with males outside the family.

Identifying the most important needs of women in rural areas before implementing a program was believed to be essential as it ensures local ownership and the program's success. One participant working in rural areas stated that learning how to use a computer and especially the internet, for example, was often desired by female participants with children. Due to the lack of transportation and the need to balance work and family, the programs should be located close to the participants' homes. Besides, the programs' executives should build on the skills which female participants naturally possess and exercise without defining them as "political" or "economic." Women do support their families, in some cases without a husband, but their activities are considered as "normal" and are not related to women's empowerment or gender issues. One participant also mentioned that strategies used by the Muslim Brotherhood or the Sisters of the Brotherhood could be adopted, since these movements have worked very successfully with the people on the ground without relying on any help from the state.

In terms of political awareness, it was underlined that women should be sensitized to how political participation will impact their lives. Negotiation skills and particularly leadership capacities should be cultivated in order to foster female engagement in political parties or the political arena in general. Moreover, networks encompassing all different non-state agents, who are working in the field of women's empowerment, should be developed in order to avoid the fragmentation of civil society and nurture cooperation and work towards one goal. The Egyptian Feminist Union was mentioned as an example. It was originally established in 1923 and was re-established in October 2011 and includes more than 1000 women's organizations across Egypt. Its objective is to elevate Egyptian women to run for elections, either with a party or independently. Regional and international networking for example between Tunisia and Egypt or states that have undergone similar transitions and the exchange of experiences were believed to further strengthen the success of women's empowerment and movements.

Apart from conducting programs and projects on a grass-root level, it was underlined that civil society should focus on advocating women's rights in the public sphere. Bringing women's rights and gender equality issues back to the political agenda was considered particularly important during the current transitional phases, since the deteriorating security situation is often used to sideline women's

or human rights issues in Tunisia and Egypt. For example, it was argued that if the scandalization of the woman who was dragged and beaten by soldiers in December 2011 in Cairo led to a larger-than-usual outcry nationally as well as internationally, then stories like this one can be very helpful and should be collected and utilized to create awareness and solidarity in society to help moving women's rights into a national context. Hence, the conclusion was that a short-term continuous push in the current transitional phase needs to be accompanied by a long-term shift of paradigms in society, education, and politics.

### Media's Contribution to Gender (In-)Equality

The role of the media to empower women was particularly emphasized during the discussions. Not only media's capacity of setting the agenda for public debates and its influence on public opinion, but also its role in shaping images can be used to sensitize or educate society about gender equality issues. There was agreement that the media has been performing very poorly in this respect. For instance the media coverage of female candidates during the elections for the people's assembly in Egypt was disappointing, and Mahrous mentioned that access to media during her campaign was rather difficult and journalists started to be interested in her only after the elections. Participants learned that in Morocco media coverage of women is even counterproductive in terms of gender equality. The role of women in Morocco has changed in the last 20 years. But the media failed to adapt to these changes creating images of women, which do not reflect the reality of Moroccan society. Despite the fact that women are well educated, decision-makers in politics, and economic and financial supporters in households and businesses, Moroccan TV dramas associate them with temptation and degradation and represent them as reckless, controlled, submissive, victimized, and/or uneducated. In newspapers or magazines, men are associated with hard topics and are given space to elaborate on their opinions about politics and the economy, whereas women's voices are linked to soft topics like fashion, cooking, and scandals. Constructing categories for each gender, which do not reflect the reality, results in gender inequality and establishes a false system of knowledge that goes against the feminist movement's efforts in Morocco. However, the participant further elaborated that the Moroccan Ministry of Communication acknowledged the importance of gender equality and recently launched a yearly prize for gender equality in media encouraging journalists and media industries to take into consideration new strategies of gender balancing in the images produced in television advertisements and series.

To bring about real change, the group believed that there is a dire need for media to start gender sensitive trainings for its employees. Additionally, women should



be encouraged—through programs and trainings—to change the male dominated media industry from within. Unlike Egyptian women who are very active as bloggers writing about their views and experiences, women in Morocco hardly use social media as a platform to express themselves. These and other capacities could be built or developed through media trainings conducted by NGOs.

An Egyptian participant held the view that media should use its capacities and support women's empowerment for example by portraying female role models in the political as well as in the private sphere. She argued that the January 25th uprising produced a new wave of young female role models who took the streets protesting and demanding change, justice, dignity, and freedom. These are young Egyptian women who see themselves neither as feminists or advocates of women's rights, nor as intellectuals but as “naturally” active and alert, and they were a true reflection of the role of women in the Egyptian society. In addition to these female “revolutionaries,” there were women distributing water, female doctors working in the field hospitals, female filmmakers etc. These young women and their contributions have to be placed in the spotlight in order to counterweigh the marginalization of women in the political and public sphere and influence younger generations to follow their paths. There were complaints that after the student movements in the 60s and 70s, when young women organized strikes and marches, Egypt experienced a generational gap in terms of female politically engaged role models. The rise of conservative religious movements and their



A participant discussing her paper with the group

restrictive vision of a woman's role in society contributed to this development as well as the media discourse portraying women as victims or holding them responsible for being harassed. And well-educated and intellectual gender advocates composed of middle and upper class women were present, but unable to reach grass-root women and girls due to cultural, social, and generational barriers. Finally, it was stressed that female political candidates and their agendas need to be better covered in order to raise awareness of their potential and encourage especially other women to vote for them.

## 5. The Role of the International Community

### 5.1 Funding Policies

How can the international community help to advance gender equality in Tunisia and Egypt? As the civil society landscape in Tunisia and Egypt after the uprisings is constantly changing, the need for the international community to re-assess traditional engagement strategies was underlined. In the past funding of local NGOs has been a decisive tool for supporting gender equality programs, although this strategy was seen as entailing several negative side effects. Competition for funding, for example, led to the fragmentation of civil society and the marginalization of small NGOs, since large and international organizations enjoy a better access to funding networks. In some cases, international institutions even have an already set network of organizations as their intermediaries, ignoring other local actors. In addition, there was critique that program agendas were set up in order to meet the funder's agenda instead of meeting the people's needs on the ground, and in some cases the definitions of the donors' central areas of intervention were too narrow for local NGOs to be met. Furthermore, it was stated that the evaluation of gender equality projects is very challenging, as the impact of these programs is difficult to measure. As a result, sustainable funding depended more on the writing skills of the person responsible for writing the report than on the program itself.

A first step identified towards a reasonable foreign funding policy was to draw a detailed mapping of the non-state actor landscape working in the field of gender equality. While NGOs are an important pillar within civil society, there are many more actors available, which are not yet recognized by the international community. A better understanding of their functions and interactions could help to support organizations that have come up originally rather than in response to donor agendas. Apart from NGOs, women's movements in Egypt and Tunisia are comprised of various other actors like *ad hoc* networks mobilizing around specific issues. Therefore, the narrow perception of who is an actor within civil society should be widened and a more anthropological definition should be utilized that includes for example tribes as indigenous civil society providing different services. In general, there was a consensus that the definition of civil society should be pushed according to the function rather than the structure of an actor in order to move away from the middle-class NGOs and to include more diverse and new actors. Including informal groups like youth movements, however, was seen as



very challenging as international donors tend to focus on so-called “legitimate” and registered partners.

Furthermore, capacity development of civil society should aim to empower organizations to develop their own agenda. In the past, women’s organizations were often accused of adopting a western agenda. If donors continue to require non-state actors to implement a particular agenda, women’s organizations could feel themselves stuck between demands of Islamist groups and those of the international community. Capacity development should additionally include the empowering of local gender experts that could advise programming and outreach strategies in order to ensure local ownership. Besides, funding was not seen as the only useful support, as some grass-root organizations do not yet have the capacity to absorb funding. The amount of administration entailed in the donors’ funding guidelines could further overstrain small organizations and distract them from their actual functions. A different kind of support mentioned was helping to build national and international networks and forums for the sharing of experiences and know-how. The latter has proven to be very helpful. A participant, who is a member in the Tunisian League of Tunisian Women Voters (LET), stated that her organization for example is cooperating with an American organization, which is also working in the field of women’s empowerment in the public and the political sphere in order to exchange experiences regarding women’s participation in elections. LET’s cooperation with the Arab Institute for Human Rights enables its staff to participate in seminars and additional trainings. Two points shared by the group were that as civil society in the region has matured in the course of the last years, cooperation with international NGOs should be based on equality and not on a student-teacher relationship. The second point was acknowledging that it is still challenging for the international community to find suitable means to approach the MENA region and to decide whether programs should focus on economic or environmental development, health issues or gender equality in order to offer the best support during the transitional phases. The consensus was that slowing down the process of funding would allow donors a wider time frame to evaluate the non-state actor landscape, which will in turn enable them to provide reasonable and sustainable funding in the necessary fields.

## 5.2 Promoting Gender Equality through International Policies, Resolutions, and Relations

Another (top-down) strategy of international institutions regarding the enhancement of women’s rights and gender equality is the issuing of international dec-

larations or resolutions. Providing a frame of reference by setting international standards for women's rights encourages member states to push forward gender equality by amending their national law in order to comply with these standards. CEDAW, the international convention of the United Nations on the elimination of all forms of discrimination against women, has already been mentioned. However, several Arab states accepted CEDAW only with reservations, which ultimately hindered the improvement of women's rights in their respective countries. During the conference, special attention was given to gender-mainstreaming in the security sector and related international resolutions.

### Women's Current Presence in the Tunisian and Egyptian Security Sector

Women in the army are a very powerful symbol regarding women's empowerment and gender equality as they are taking most masculine positions and breaking traditional gender roles. A participant from Tunisia explained that women there serve in the army and that feminists launched a very powerful photo campaign with female soldiers stationed at the border to Libya saying, "We protect you, too." Female police officers are also present in the streets managing the traffic, and Tunisia has already launched a national action plan for the implementation of resolution 1325 and became a member of the Center for the Democratic Control of Armed Forces, with which it will cooperate in order to integrate gender issues in any reform of the security sector. In October 2000, the Security Council of the United Nations adopted UNSCR 1325 on women, peace,



Group photo

and security, a resolution underlining the essential role of women in the prevention of conflict as well as in post-conflict peace-building and reconstruction. In the case of Egypt, it was stated that women are not visible as police officers in the streets. Yet, their inclusion is very important, since the police is the most present organ of the security sector in the public sphere interacting with society on a daily basis. Besides, there are no female soldiers or officers in the Egyptian army, as the military employs women only in the health sector. Due to the recent confrontations between the police and military forces and citizens, there was agreement that addressing the issue of reforming the Egyptian security sector is very sensitive and that the official side rejects assistance and proposals from national and international actors. However, according to the intervention, security sector reform seems to be underway since public debates have taken place on whether military service should be mandatory for men and women as well as on the protection of women against gender-based violence, and in October 2011 a charter of strict rules for police officers was released obliging them to carry out their duty in accordance with democratic and human rights principles.

A great example in terms of women's participation in the security sector mentioned—a model not only for Arab states, but also for NATO countries—was Jordan, where women make up five percent of the armed forces. They are not excluded from any unit, with 25 percent of them taking up the position of officers. No special strategy was needed to increase the number of women in the security sector because a Jordanian princess, by joining the armed forces, encouraged women all over the country to follow her example.

#### UNSCR 1325 and NATO

A participant explained that in 2007 NATO launched a formal policy on the implementation of this resolution in order to strengthen the role of women in the security field. This policy includes mainstreaming UNSCR 1325 in NATO-led missions and operations, integrating gender perspectives at all levels of decision-making, developing military education and training curriculum related to gender, cooperating with international organizations, NGOs and civil society, as well as engaging in public diplomacy and supporting national initiatives like National Action Plans.

In the NATO countries themselves, the participant stated that gender equality and increased female representation in the security field is far from being realized, and that the NATO institution itself may not be the best example regarding gender equality. 40 percent of the employees working for the civil NATO organ are women, but their share in the decision-making positions is only 17 percent.

Women's representation in the armed forces of its member states ranges between 3 and 18 percent. Although NATO may not be the most powerful organization concerning the enhancement of gender equality and women's rights, it can promote these issues in its political dialogue and practical cooperation with Egypt and Tunisia. Putting gender issues on the agenda of bilateral meetings and including women's or civil society groups in NATO's cooperation policy were seen as possible strategies in this regard.

There was agreement that gender-mainstreaming within security institutions in Egypt and Tunisia will be crucial to the success of those countries' transitions. Since the military and the police in both countries helped to sustain the power of the authoritarian regimes and resorted to violence against citizens during and after the uprisings, mistrust between the security sector and the people represents a major challenge. Especially Egypt has witnessed severe clashes between the security forces and the people as well as incidents of gender based violence committed by security forces. The argument went that women working inside security institutions could contribute to the re-establishment of a bond between these institutions and civil society by introducing new means and strategies to solve or avoid conflicts. Furthermore, it was stressed that women included in the strategic decision-making level as well as in operations can contribute to identifying women's security concerns as they often differ from men's. Their impact could help to change the military approach into a more civil one.

However, there were different standpoints within the group about the role of women in the army. While one current believed women can have a gender sensitive influence on the institution, the other current argued that the institution will rather influence women. They elaborated that while women are often the victims of violence, they still can turn into the cruel aggressors, taking as an example women's role in fascist movements or an incident during the reign of Mohammed Ali in Egypt. When Mohammed Ali in the 19th century modernized Egypt and enabled women to work in the army or in hospitals, female employees were forced to conduct virginity tests on other women. Notwithstanding the fact that institutions do exert influence on the people working for them, there was agreement that the security field is a male dominated sphere of power that cannot be ignored, and that changing security institutions from within could lead to their democratization.

Apart from the role of NATO, UNSCR 1325 in itself was seen as an effective frame of reference for civil society in Egypt to push forward the development of a National Action Plan for its implementation. Additionally, there was agreement

that the National Action Plans of UN members engaged in the MENA region can contribute to women's empowerment. The Dutch National Action Plan for the implementation of UNSCR 1325, for example, focused on the question of how the resolution could be put into action in its partner countries. Instead of cooperating with relevant key ministries, the Netherlands decided to cooperate with civil society of the respective countries in order to find suitable and sustainable means for the implementation of UNSCR 1325.

The extent to which international relations can impact the improvement of gender equality and women's rights was also demonstrated in the cases of Turkey and Poland. Encouraged to fulfill the European Union's criteria for a Turkish membership of the EU, Turkey introduced gender equality in marriage (the male was no longer the family head), deleted reduced sentences for honor killings, widened the definition of sexual assault, and criminalized sexual harassment. In the case of Poland, the EU had been a successful pressure mechanism because conditions for membership and later EU-level regulations were always more progressive than the country's national law. Transnational feminist networks that jointly lobbied on the European level had also been successful and consequently directly influenced the situation in Poland.

In general, the international community is expected to set examples or offer role models in terms of democracy, transparency, separation of powers, independent media etc. But many participants stressed that as Western states are far from being perfect, Egypt and Tunisia can act confidently during the transitional phases and decide what kind of support or international engagement they want to enjoy.



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